

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

MATTHEW T. MCGILL

Plaintiff,

v.

Case No: 5:20-cv-00129-PGB-PRL

**DARIAN BURKE, ALAN HAYS, DAVID
R. MILES, and MARTHA
MACFARLANE,**

Defendants.

ORDER

On April 28, 2020, Plaintiff filed an amended complaint against Defendants and requested an award of attorney's fees. (Doc. 41, prayer for relief in Counts I, II, III, IV, V). Defendant Miles filed this motion to strike Plaintiff's request for attorney's fees from him claiming that Plaintiff was not entitled to such a reward. (Doc. 48). In his response, Plaintiff agreed that he was not entitled to attorney's fees from Defendant Miles. (Doc. 59). Plaintiff further claimed that it was a scrivener's error to not indicate that he was seeking fees only as to Defendant Burke in her official capacity as Clerk of the Town of Howey in the Hills. (Doc. 59).

Accordingly, Defendant Miles' motion to strike Plaintiff's request for attorney's fees (Doc. 48) is GRANTED. Except for the request for attorney's fees from Defendant Burke, Plaintiff's request for attorney's fees in Counts I, II, III, IV, and V are stricken from the amended complaint (Doc. 41).

DONE and ORDERED in Ocala, Florida on June 8, 2020.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties